

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 16-CR-84 (WMW)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**GOVERNMENT'S RESPONSE TO
COURT'S ORDER TO SHOW
CAUSE**

DIANE L. KROUPA,

Defendant.

The United States of America, by and through its attorneys Gregory G. Brooker, Acting United States Attorney for the District of Minnesota, and Assistant United States Attorneys Timothy C. Rank and Benjamin Langner, submits this response to the Court's Order to show cause why its motion to file its sentencing reply should be granted.

On June 20, 2017, the government requested permission to file an untimely response to defendant Kroupa's sentencing memorandum. In response to the Court's Order to show cause why the motion should be granted, the government provides the following information: Defendant's memorandum was filed June 9 after an unopposed extension of time. Government co-counsel, Benjamin Langner, was in trial preparations and conducting trial in *United States v. Ronald D. Johnson*, 16-cr-193 (WMW/FLN) until June 19. The government's response is brief, and introduces no new facts or legal theories. Rather, it includes only argument as to the appropriate sentence. The government has communicated with counsel for the defendant, Thomas Kelly, who has no objection to the government filing its response outside of the period provided by the Local Rules.

For these reasons, the government requests that the Court allow the government to file its response to defendant Kroupa's sentencing memorandum.

Dated: June 20, 2017

Respectfully submitted,

GREGORY G. BROOKER
Acting United States Attorney

s/ Timothy C. Rank

BY: BENJAMIN F. LANGNER
Assistant U.S. Attorney